

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,
Plaintiff,

Case Nos. 09-20025
09-20295

v

SAMUEL L. RIDDLE, JR.,
Defendant.

MOTION TO MODIFY CONDITION OF BOND

Defendant Samuel L. Riddle, Jr., by his attorneys, John Minock and Edward Wishnow, requests that his motion be granted for the following reasons::

1. Defendant is indicted for multiple offenses.
2. The indictment arose from several separate FBI investigations involving the City of Detroit.
3. Trial is scheduled for January 5, 2010.
4. On December 23, 2009, Defendant's bond conditions were modified by Judge Paul Borman. Among the conditions modified was a requirement that Defendant reside with his mother in Flint and not enter Wayne County.
5. At the motion on the bond hearing, Defendant objected to the condition that he not enter Wayne County and indicated he intended to establish a residence there, and that his residing with his mother was intended to be temporary. Judge Borman responded that the issue could be addressed when Defendant had a proposed residence for Pretrial Services to evaluate.
6. Defendant does have a proposed residence in Detroit, and has provided Pretrial Services with the information regarding that residence.

7. Pursuant to L.R. 7.1, undersigned counsel have sought the concurrence of government counsel in the within motion, but their concurrence was not obtained.

WHEREFORE, Defendant requests that this Court amend the order of December 23, 2009, and permit him to enter and reside in Wayne County.

Dated: December 28, 2009

s/John Minock (P24626)
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BRIEF IN SUPPORT OF MOTION TO AMEND CONDITIONS OF BOND

On December 23, 2009, Defendant's bond conditions were modified by Judge Paul Borman. Among the conditions modified was a requirement that Defendant reside with his mother in Flint and not enter Wayne County. At the motion on the bond hearing, Defendant objected to the condition that he not enter Wayne County and indicated he intended to establish a residence there, and that his residing with his mother was intended to be temporary. Judge Borman responded that the issue could be addressed when Defendant had a proposed residence for Pretrial Services to evaluate.

Defendant does have a proposed residence in Detroit, and has provided Pretrial Services with the information regarding that residence. Pending approval by Pretrial Services of that residence, Defendant requests that the Court amend the conditions of bond to allow him to enter and reside in Wayne County.

The Court has the discretion to set conditions of Defendant's release on bond to reasonably assure his appearance for court and for the safety of other people and the community. 18 USC 3142(c). Defendant maintains there is no reason now to expect either that he would fail to appear for court or that there is any reason to expect that he poses a danger to anyone. If he is allowed to

reside in Wayne County, access to his attorneys, whose offices are in much closer proximity to the proposed residence than Flint, would be much easier and less time consuming. Defendant's participation in the preparation of his defense is crucial in this case given the nature of the evidence.

For all the above reasons, Defendant requests that the Court modify the order of December 23, 2009, and allow him to reside in Wayne County at a residence approved by Pretrial Services.

Dated: December 28, 2009

s/John Minock (P24626)
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CERTIFICATE OF SERVICE

I hereby certify that on December 28, 2009, I electronically filed the foregoing document with the Clerk of the Court using the ECF system which will send notification of such filing to the attorneys of record.

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